

**Remarks****I. Administrative Overview**

Claims 1-48 were previously presented. Claims 1-6, 9-10, 14-15, 18-19, 21, 25-44 and 46-48 are hereby amended. Upon entry of the present amendments, Claims 1-48 are pending of which Claims 1, 14, 19, 25, 34, 40, 44 and 46 are independent claims. No new matter has been introduced.

The Applicants respectfully request reconsideration and withdrawal of all rejections levied against the pending claims.

**II. Claim Objections**

The Examiner objects to informalities present in Claims 31 and 39. Claims 31 and 39 have been amended and Applicants submit that the claim amendments overcome the objections raised by the Examiner. Applicants respectfully request that the Examiner withdraw all claim objections.

**III. Rejections under 35 U.S.C. § 102**

Claims 1, 11-13, 14, 19, 25, 34, 40, 44 and 46 are rejected under 35 U.S.C. § 102(b) as unpatentable over U.S. Publication No. 2003/0087219 A1 to Berger et al. (“Berger”). Applicants respectfully submit that Claims 1, 11-13, 14, 19, 25, 34, 40, 44 and 46 as previously presented are patentable over Berger. Nevertheless, Claims 1, 14, 19, 25, 34, 40, 44 and 46 have been amended to more clearly recite the claimed invention. Applicants respectfully submit that Claims 1, 11-13, 14, 19, 25, 34, 40, 44 and 46, as currently amended, are patentable over Berger.

A claimed invention is anticipated when the cited reference discloses each and every element of the claimed invention. Applicants respectfully submit that Berger fails to disclose each and every element recited by Claims 1, 11-13, 14, 19, 25, 34, 40, 44 and 46, as amended.

Berger fails to disclose a device bound in part to a port number within a virtual communication channel. Berger describes a system for synching a personal digital assistant (PDA) with a web-based data system. An agent on the client receives data from the server and updates the PDA with the received data to synchronize the PDA with data on the server. *See* Berger, paragraphs 35 and 82-84. Berger does not describe a virtual communication channel

much less a PDA that is bound to a port number within a virtual communication channel. Thus, Berger fails to disclose each and every element of the claimed invention. For at least this reason, independent Claims 1, 14, 19, 25, 34, 40, 44 and 46 are patentable over Berger. Claims 11-13 are dependent on Claim 1 therefore Claims 11-13 are also patentable over Berger.

#### **IV. Rejections under 35 U.S.C. § 103**

Claims 2, 5, 15, 26, 35 and 43 are rejected under 35 U.S.C. § 103(a) as unpatentable over Berger in view of U.S. Patent No. 7,024,501 B1 to Wright (“Wright”) and in further view of U.S. Patent No. 6,961,942 B1 to Adderman (“Adderman”). Claims 3-4, 10, 16-17, 27-28, 33, 36-37 and 41-42 are rejected under 35 U.S.C. § 103(a) as unpatentable over Berger in view of Adderman. Claims 6, 9, 18, 21, 22, 29, 32 and 38-39 are rejected under 35 U.S.C. § 103(a) as unpatentable over Berger in view of U.S. Patent No. 7,325,026 B1 to North (“North”). Claims 7-8, 23-24 and 30 are rejected under 35 U.S.C. § 103(a) as unpatentable over Berger in view of U.S. Patent No. 7,051,108 B1 to Jones (“Jones”). Claims 20, 45 and 47 are rejected under 35 U.S.C. § 103(a) as unpatentable over Berger in view of U.S. Patent No. 6,910,068 B2 to Zintel (“Zintel”). Claim 31 is rejected under 35 U.S.C. § 103(a) as unpatentable over Adderman in view of Jones. Claim 48 is rejected under 35 U.S.C. § 103(a) as unpatentable over Berger in view of North and in further view of U.S. Patent No. 6,970,924 B1 to Chu (“Chu”). Applicants respectfully submit that Claims 2-10, 15-18, 20-24, 26-33, 35-39, 41-43, 45 and 47-48, as previously presented are patentable over any combination of Berger, Wright, Adderman, North, Jones, Zintel and Chu. Nevertheless, Claims 3-4, 6, 10, 18, 21, 26-33, 35-39 and 47-48 have been amended to more clearly recite the claimed invention. Applicants therefore respectfully submit that Claims 2-10, 15-18, 20-24, 26-33, 35-39, 41-43, 45 and 47-48, as amended, are patentable over any combination of Berger, Wright, Adderman, North, Jones, Zintel and Chu.

Obviousness is shown only when two or more references either alone or in combination, teach or suggest each and every element of the claimed invention. Applicants respectfully submit that any combination of Berger, Wright, Adderman, North, Jones, Zintel and Chu fails to teach or suggest each and every element of the claimed invention.

Wright, like Berger, fails to teach or suggest a device bound in part to a port number within a virtual communication channel as required by each independent claim. Wright describes a wireless peripheral controller that connects one or more wireless game controllers

across a single communication port. *See Wright, Abstract.* Wright further describes wireless controllers that communicate over a wireless communication channel and a host controller that sends data to multiple peripheral controllers through a single upstream port. *See Wright, col. 2, lines 56-67; col. 4, lines 1-6.* Although Wright describes the use of physical ports and wireless communication channels, Wright does not teach or suggest virtual communication channels or a device that is bound to a port number within a virtual communication channel. Thus, Wright fails to teach or suggest each and every element of the claimed invention.

Adderman, like Berger, fails to teach or suggest a device bound in part to a port number within a virtual communication channel as required by each independent claim. Adderman describes a method and system for providing access to the L2CAP layer of Bluetooth by exposing the layer to a user mode via a socket interface. *See Adderman, col. 2, lines 9-11.* While Adderman does describe binding a socket to a specific port, Adderman does not teach or suggest binding a device to a port number within a virtual communication channel. *See Adderman, col. 11, lines 8-12.* A socket is not a device, and a port on a server is not a port number within a virtual communication channel. Therefore, Adderman does not teach or suggest each and every element of the claimed invention.

North, like Berger, fails to teach or suggest a device bound in part to a port number within a virtual communication channel as required by each independent claim. North describes a system for capturing and analyzing network protocol communication. North does not teach or suggest a device bound in part to a port number within a virtual communication channel. Therefore, North fails to teach or suggest each and every element of the claimed invention.

Jones, like Berger, fails to teach or suggest a device bound in part to a port number within a virtual communication channel as required by each independent claim. Jones describes a method for bypassing a connection oriented protocol when the connection between a server and client is local. *See Jones, col. 2, lines 39-44.* The method in Jones connects a server and client over a network, not a virtual communication channel. Jones fails to teach or even suggest a virtual communication channel, therefore Jones fails to teach or suggest each and every element of the claimed invention.

Zintel, like Berger, fails to teach or suggest a device bound in part to a port number within a virtual communication channel as required by each independent claim. Zintel describes

an open network architecture that enables communication among devices and services. *See* Zintel, col. 4, lines 58-61. More specifically, Zintel describes universal plug and play which allows users to use a device without requiring the installation of additional software. *See* Zintel, col. 6, lines 18-25. Zintel does not teach or even suggest the binding of a device to a port number within a virtual communication channel because Zintel does not suggest or teach a virtual communication channel. Thus, Zintel fails to teach or suggest each and every element of the claimed invention.

Chu, like Berger, fails to teach or suggest a device bound in part to a port number within a virtual communication channel as required by each independent claim. Chu describes a network monitoring system that monitors the network performance of one or more client machines in a client-server network. *See* col. 2, lines 24-47. Chu does not teach much less suggest a device that can be bound to a port number within a virtual communication channel. Therefore Chu fails to teach or suggest each and every element of the claimed invention.

Neither Berger, Wright, Adderman, North, Jones, Zintel nor Chu teaches or suggests a device bound in part to a port number within a virtual communication channel, as required by independent Claims 1, 14, 19, 25, 34, 40, 44 and 46. Therefore, any combination of Berger, Wright, Adderman, North, Jones, Zintel and Chu will fail to teach or suggest each and every element of the claimed invention. For this reason, Claims 1, 14, 19, 25, 34, 40, 44 and 46 are patentable over any combination of Berger, Wright, Adderman, North, Jones, Zintel and Chu.

Claims 2-10, 15-18, 20-24, 26-33, 35-39, 41-43, 45 and 47-48 are also patentable over any combination of Berger, Wright, Adderman, North, Jones, Zintel and Chu, because Claims 2-10, 15-18, 20-24, 26-33, 35-39, 41-43, 45 and 47-48 are dependent on Claims 1, 14, 19, 25, 34, 40, 44 and 46. Applicants therefore respectfully request that the Examiner withdraw all rejections made under 35 U.S.C. § 103.

## **V. Conclusion**

The Applicants contend that each of the Examiner's rejections has been adequately addressed and that all of the pending claims are in a condition for allowance. Accordingly, Applicants respectfully request reconsideration and withdrawal of all grounds of rejection, and allowance of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' agent would expedite prosecution of this application; the Examiner is urged to contact the Applicants' agent at the telephone number identified below.

Respectfully submitted,  
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